

Patent Application No. 09/754,813

REMARKS

This Response is in response to the Office Action dated July 8, 2004. By this Response, currently pending claims 1-15 and 17-20 are believed allowable, with claims 1, 11, and 18 being independent claims.

I. The Cited References do not Teach or Suggest All the Claim Limitations of the Claims

Claims 1-2, 4, 6-8 and 10-15 and 17-20 were rejected under 35 USC §103(a) as being unpatentable over obvious over U.S. Patent No. 6,442,689 to Kocher (herein "Kocher") in view of U.S. Patent No. 6,044,462 to Zubeldia et al. (herein "Zubeldia") and in further view of U.S. Patent No. 6,411,956 to Ng (herein "Ng"). Final Office Action, paragraph 5.

A *prima facie* case for obviousness can only be made if the combined reference documents teach or suggest all the claim limitations. MPEP 2143.

Claim 1 recites, in part, "multiple CRL retrieval agents configured to periodically retrieve CRLs at time intervals from different CAs using a plurality of CRL retrieval agents based on the CRL distribution mechanisms of CAs." Application, claim 1. The Final Office Action acknowledges that Kocher does not teach such limitations, but states that Zubeldia does teach the limitations. Final Office Action, paragraphs 2 and 5.

The Applicant respectfully disagrees with the Examiner's analysis of the teachings of Zubeldia. The passage cited in the Final Office Action as allegedly teaching the above claim limitations states, "A CRL is issued on a periodic basis which can be as frequently as daily. It is necessary to consult each and every CRL that has been issued by the CA during the validity period of the certificate, to determine whether a certificate obtained from the CA was revoked prior to its expiration." Zubeldia, col. 3, lines 13-17 (emphasis added). The Applicant notes that this passage discusses issuing CRLs on a periodic basis, not periodically retrieving CRLs at time intervals from different CAs. Zubeldia teaches away from such a limitation by

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describing a centralized configuration wherein CAs transmit certificate validity information to a central database. Zubeldia, col. 7, lines 7-11 and 38-40.

It is respectfully submitted that the Applicant cannot find any discussion in Zubeldia or any other cited document that teaches or suggests the above-cited limitations of claim 1. For at least this reason, claim 1 is believed allowable over the cited art and such allowance is earnestly solicited.

Claim 2-10 are dependent on and further limit claim 1. Since claim 1 is believed allowable, claims 2-10 are also believed allowable for at least the same reasons as claim 1.

Claim 11 recites, in part, "periodically retrieving CRLs at time intervals from different CAs using a plurality of CRL retrieval agents based on the CRL distribution mechanisms of CAs." Application, claim 11. The Final Office Action acknowledges that Kocher does not teach such limitations, but states that Zubeldia does teach the limitations. Final Office Action, paragraphs 2 and 5.

The Applicant respectfully disagrees with the Examiner's analysis of the teachings of Zubeldia. The passage cited in the Final Office Action as allegedly teaching the above claim limitations states, "A CRL is issued on a periodic basis which can be as frequently as daily. It is necessary to consult each and every CRL that has been issued by the CA during the validity period of the certificate, to determine whether a certificate obtained from the CA was revoked prior to its expiration." Zubeldia, col. 3, lines 13-17 (emphasis added). The Applicant notes that this passage discusses issuing CRLs on a periodic basis, not periodically retrieving CRLs at time intervals from different CAs. Zubeldia teaches away from such a limitation by describing a centralized configuration wherein CAs transmit certificate validity information to a central database. Zubeldia, col. 7, lines 7-11 and 38-40.

It is respectfully submitted that the Applicant cannot find any discussion in Zubeldia or any other cited document that teaches or suggests the above-cited limitations of claim 11. For at least this

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reason, claim 11 is believed allowable over the cited art and such allowance is earnestly solicited.

Claims 12-15 and 17 are dependent on and further limit claim 11. Since claim 11 is believed allowable over the cited art, claims 12-15 and 17 are also believed allowable for at least the same reasons as claim 11.

Claim 18 recites, in part, "creating a plurality of CRL retrieval agents based on the CRL distribution mechanisms of CAs, the retrieval agents configured to periodically retrieve CRLs at time intervals from the different CAs and to consolidate the CRLs from multiple CAs." Application, claim 18. The Final Office Action acknowledges that Kocher does not teach such limitations, but states that Zubeldia does teach the limitations. Final Office Action, paragraphs 2 and 5.

The Applicant respectfully disagrees with the Examiner's analysis of the teachings of Zubeldia. The passage cited in the Final Office Action as allegedly teaching the above claim limitations states, "A CRL is issued on a periodic basis which can be as frequently as daily. It is necessary to consult each and every CRL that has been issued by the CA during the validity period of the certificate, to determine whether a certificate obtained from the CA was revoked prior to its expiration." Zubeldia, col. 3, lines 13-17 (emphasis added). The Applicant notes that this passage discusses issuing CRLs on a periodic basis, not periodically retrieving CRLs at time intervals from different CAs. Zubeldia teaches away from such a limitation by describing a centralized configuration wherein CAs transmit certificate validity information to a central database. Zubeldia, col. 7, lines 7-11 and 38-40.

It is respectfully submitted that the Applicant cannot find any discussion in Zubeldia or any other cited document that teaches or suggests the above-cited limitations of claim 18. For at least this reason, claim 18 is believed allowable over the cited art and such allowance is earnestly solicited.

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Claims 19-21 are dependent on and further limit claim 18. Since claim 18 is believed allowable over the cited art, claims 19-21 are also believed allowable for at least the same reasons as claim 18.

II. There is no Suggestion or Motivation to Modify or Combine Kocher in View of Zubeldia

To establish a *prima facie* case of obviousness, there must be some suggestion or motivation to modify or combine the reference teachings. MPEP 2143. "If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious." MPEP 2143 citing *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959).

In rejecting claims 1-21, the Final Office Action combines the teachings of Zubeldia with those of Kocher. Final Office Action, paragraphs 2 and 5-9. However, It is respectfully submitted that no evidence of suggestion or motivation is offered in the Final Office Action to combine the teachings of Zubeldia with those of Kocher.

Moreover, Zubeldia teaches a Certificate Revocation List (CRL) "issued on a periodic basis which can be as frequently as daily. It is necessary to consult each and every CRL that has been issued by the CA during the validity period of the certificate, to determine whether a certificate obtained from the CA was revoked prior to its expiration." Zubeldia, col. 3, lines 13-17. On the other hand, Kocher teaches a system that "allows certificate status to be determined without knowledge of the entire list of revoked certificates and without having to search the entire list of revoked certificates." Kocher, col. 3, lines 7-10. Thus, the Applicant respectfully submits that the proposed combination of Zubeldia with Kocher would change the principle of operation of Kocher, and cannot render claims 1-21 *prima facie* obvious.

CONCLUSION

In view of the forgoing remarks, it is respectfully submitted that this case is now in condition for allowance and such action is respectfully requested. If any points remain at issue that the